

1 CAMPOS
 2 Q. No, I mean with respect to just
 3 mobilization and demobilization hours?
 4 A. I thought that's the same question
 5 as the one before, I don't know the total
 6 amount, but it would be some small part of
 7 \$800,000.
 8 Q. Which was --
 9 A. \$730,000.
 10 Q. Okay. Let me just make sure I
 11 understand where you are reading from. What
 12 page are you on?
 13 A. Page two of eight.
 14 Q. "Two of eight." You just read
 15 from?
 16 A. The field-gross pay total of
 17 704,845 and the wet-out gross pay of 24,997
 18 would be something shy of \$730,000 and that's
 19 once a small part of that would be
 20 mobilization, demobilization for working on
 21 more than one job.
 22 Q. Okay. Turning to page three. On
 23 page three this is where, and you've
 24 testified about this previously, where you
 25 state that certain categories of claim costs

1 CAMPOS
 2 A. That's right, and I identified the
 3 total universe in one of the schedules that I
 4 gave you just before lunch, totaling
 5 \$117,000.
 6 Q. We'll get to the specifics of if,
 7 but I'm just trying to lay a foundation here.
 8 A. Well, I just want to identify it
 9 for the record.
 10 Q. We'll get to it, sir. On the
 11 summary page of the last page, you also
 12 flagged this as an issue.
 13 A. Yes, sir.
 14 Q. In the first full paragraph of your
 15 summary, last two sentences you say,
 16 "however, as stated above there's some claim
 17 costs which appear to be fixed in nature.
 18 The reparation project would not result in
 19 any incremental charges for the fixed costs."
 20 Did I read that correctly?
 21 A. Yes.
 22 Q. Now, is it your opinion that these
 23 fixed costs are not probably chargeable to
 24 American Home in this lawsuit?
 25 A. Or to any claim, yes.

1 CAMPOS
 2 were fixed in nature, and that the
 3 remediation project would not have resulted
 4 in any incremental change in fixed costs.
 5 Do you see that on page three?
 6 A. I remember the statement, but what
 7 paragraph are you on, sir.
 8 Q. It's the fourth full paragraph at
 9 the end?
 10 MR. PHILBRICK: What page?
 11 MR. DESCHENES: Page three of
 12 eight.
 13 A. Yes. It's next to the last
 14 sentence of the fourth paragraph.
 15 Q. Do you see that?
 16 A. Yes.
 17 Q. You also state here that neither
 18 Insituform nor yourself formed a fixed
 19 variable analysis of the payroll or equipment
 20 burden.
 21 Do you see that?
 22 A. Yes, sir.
 23 Q. Then when you turn to the summary
 24 of your opinion on page eight, you also flag
 25 this as an issue?

1 CAMPOS
 2 Q. Okay. So the fixed portion of the
 3 claim will not be recoverable in this case;
 4 is that correct, sir?
 5 A. Yes, and I've quantified that
 6 earlier today, yes.
 7 Q. Turning to payroll burden itself,
 8 on page two.
 9 A. Yes.
 10 Q. I had some questions about that.
 11 Which categories of payroll burden would you
 12 consider to be fixed in nature?
 13 A. The category of fringe benefits
 14 would possibly include certain fixed items,
 15 not all, all of the others are variable.
 16 Q. So of the categories listed on this
 17 table, or these tables I should say, because
 18 there's both a table for field-payroll and
 19 wet-out payroll, correct?
 20 A. Yes.
 21 Q. The only category which in your
 22 opinion is fixed is the fringe benefits; is
 23 that correct?
 24 A. That has a portion of that category
 25 that could be fixed.

1 CAMPOS
 2 Q. Okay.
 3 A. Not all fixed.
 4 Q. What about let me ask you
 5 specifically about "general liability."
 6 Do you see that, sir?
 7 A. Yes.
 8 Q. As apart of its labor costs
 9 Insituform has included costs on general
 10 liability in Workers' Compensation Insurance;
 11 is that correct?
 12 A. Yes.
 13 Q. And what does "general liability"
 14 refer to?
 15 A. The general liability policy.
 16 Q. And that's a general liability
 17 policy that covers the entire company; isn't
 18 that correct?
 19 A. Yes.
 20 Q. For all regions?
 21 A. I assume so.
 22 Q. For all projects?
 23 A. For all work they do, yeah.
 24 Q. Do you consider that to be a fixed
 25 cost?

1 CAMPOS
 2 A. No, sir.
 3 Q. Why don't you consider that to be a
 4 fixed cost?
 5 A. Because the premium is based on
 6 payroll, so it's an incremental cost.
 7 Q. How is the premium based on
 8 payroll, by the number of hours worked or the
 9 amount of employees that the company has?
 10 A. By the dollar payroll.
 11 Q. "Dollar payroll." And the Workers'
 12 Compensation policy, that also covers the
 13 entire company; is that correct?
 14 A. Yes, sir.
 15 Q. And it covers all the employees of
 16 the company; is that correct?
 17 A. Yes, sir.
 18 Q. Again, do you consider that to be a
 19 fixed cost or variable cost?
 20 A. Variable cost.
 21 Q. Why do you consider that to be a
 22 variable cost, sir?
 23 A. Because Workers' Compensation
 24 insurance is always predicated on payroll.
 25 Q. And in both instances in this case,

1 CAMPOS
 2 did you go and check and verify that the
 3 premiums were based on the total amount of
 4 payroll dollars?
 5 A. On the general liability I looked
 6 at the policy and on Workers' Comp. it's my
 7 experience, my understanding that it's based
 8 on payroll, and every policy that I've seen
 9 in my 40 plus years, it's always based on
 10 payroll.
 11 Q. Do you have any knowledge as to who
 12 has the Workers' Compensation?
 13 A. What's that?
 14 Q. Strike that, bad question.
 15 Do you know who the Workers' Comp.
 16 carrier is, sir?
 17 A. No, sir.
 18 Q. Turning to equipment burden, which
 19 is on page three.
 20 A. Yes, sir.
 21 Q. Which categories of equipment
 22 burden, in your opinion, are fixed in nature,
 23 sir?
 24 A. Which are "fixed" you said?
 25 Q. Yes.

1 CAMPOS
 2 A. Leasing, depreciation and leased
 3 vehicles.
 4 Q. What about on the last bullet
 5 there, taxes?
 6 A. Taxes and licenses.
 7 Q. Are also considered fixed, sir?
 8 A. Yes, and yes.
 9 Q. What is "equipment depreciation,"
 10 sir?
 11 A. Depreciation taken on equipment.
 12 Q. And you'd consider that to be in
 13 the fixed cost category; is that correct,
 14 sir?
 15 A. In this instance, yes, based on
 16 testimony that it is straight line
 17 depreciation, which is the depreciation is
 18 written off over specific number of years.
 19 Not all equipment depreciation is fixed.
 20 Q. Sometimes equipment depreciation
 21 can be done on a variable basis?
 22 A. Yes.
 23 Q. As opposed to fixed?
 24 A. Yes, it can.
 25 Q. But in this case it was done

1 **CAMPOS**
 2 straight line over five to seven years?
 3 A. Yes, that's my understanding.
 4 That's what I considered "fixed."
 5 Q. And that's because the claim
 6 doesn't affect the equipment depreciation one
 7 way or the other; is that correct?
 8 A. The use of the equipment doesn't
 9 affect it, that's just the life of the
 10 equipment.
 11 Q. Right. And you also mentioned
 12 taxes and licenses as a fixed cost; is that
 13 correct?
 14 A. Yes.
 15 Q. I think you testified that leasing
 16 and maintaining the warehouse would also be
 17 considered a fixed cost, sir?
 18 A. Yes.
 19 Q. And is it because Insituform would
 20 have to pay for the rent regardless of
 21 whether the MWR claim existed?
 22 A. Yes.
 23 Q. Now, turning to the analysis that
 24 you've provided to me today -- we should just
 25 mark this as an exhibit, if that's okay with

1 **CAMPOS**
 2 counsel?
 3 MR. PHILBRICK: Absolutely. Did
 4 you make copies?
 5 MR. DESCHENES: Yeah, I did.
 6 MR. PHILBRICK: Great.
 7 (Campos Exhibit 11, document,
 8 marked for identification, as of this
 9 date.)
 10 Q. Have you had a chance to look at
 11 Exhibit No. 11?
 12 A. Yes, sir.
 13 Q. Now, at the top of the page there's
 14 title to the document, "Equipment Burden."
 15 Do you see that, sir?
 16 A. Yes.
 17 Q. "Re: Insituform."
 18 Did you prepare this document, sir?
 19 A. It was prepared by Ms. Siri under
 20 my direction.
 21 Q. Okay. And at the top of the
 22 document there are a series of numbers for
 23 parts and supplies, depreciation, equipment
 24 lease rental, taxes, licenses and insurance,
 25 other costs and then a total.

1 **CAMPOS**
 2 Do you see those numbers?
 3 A. Yes.
 4 Q. Can you tell me where those
 5 numbers, where they came from?
 6 A. From the budget for that area, I
 7 believe for the year 2003 or 4, the total
 8 budget.
 9 Q. I'm sorry, are you finished?
 10 A. Yes.
 11 Q. Oh, I'm sorry. It came from a
 12 total budget, were those actual costs
 13 incurred or?
 14 A. Budgeted costs for the year is my
 15 recollection.
 16 Q. Did you ever see whether the
 17 budgeted costs matched up with the actual
 18 costs?
 19 A. Not for this specific exercise.
 20 Q. Okay. And can you describe for me
 21 what it is that you are attempting to
 22 calculate on this sheet?
 23 A. The percentage of the total
 24 expenditures for equipment burden that were
 25 fixed as opposed to variable.

1 **CAMPOS**
 2 Q. So at the top, all of those numbers
 3 are the total costs for equipment burden?
 4 A. Yes.
 5 Q. Based on a budgeted number for 2003
 6 or 2004?
 7 A. Yes, sir.
 8 Q. And then there's a subcategory
 9 called "fixed;" is that correct?
 10 A. Yes, yes.
 11 Q. And there are three categories
 12 listed there, one for depreciation, another
 13 for equipment, lease rental and then taxes,
 14 licenses and insurance; is that correct, sir?
 15 A. Yes.
 16 Q. And then a total for fixed.
 17 Do you see that?
 18 A. Yes.
 19 Q. Then one line down it says "fixed
 20 as a percentage of total." How did you
 21 arrive at that percentage, 53.26?
 22 A. By taking the \$796,649 and dividing
 23 it by the 1,495,762.
 24 Q. The one number doesn't match up
 25 perfectly and that's the number for equipment

<p>1 CAMPOS</p> <p>2 lease rental. Do you see how the numbers at 3 the top, it's \$414,410 and then under fixed 4 it's \$393,626?</p> <p>5 A. Yes.</p> <p>6 Q. Can you explain for me why there 7 are different numbers used there?</p> <p>8 A. There were certain subcategories 9 within the general category of equipment, 10 lease rental, one of which was a category for 11 about \$21,000 that was a variable expense and 12 that's why it wasn't included among the 13 fixed.</p> <p>14 Q. Okay. And then once you arrive at 15 your percentage, explain to me how you 16 calculated the number at the bottom there, 17 \$280,846.10?</p> <p>18 A. I took the total equipment burden 19 that's included in the summary of my report, 20 the last page, of \$527,311.49 and multiplied 21 it by --</p> <p>22 Q. You are referring now to the 23 summary on page nine of your report, right, 24 that's where you got that number?</p> <p>25 A. Of schedule one, which would be the</p>	<p>1 CAMPOS</p> <p>2 the budget?</p> <p>3 A. It's part of the production.</p> <p>4 MR. PHILBRICK: That would be a 5 "yes."</p> <p>6 A. It would be part of the documents 7 that were produced with a CNS Bate stamp.</p> <p>8 MR. DESCHENES: Off the record for 9 a moment.</p> <p>10 (Off-the-record discussion held.)</p> <p>11 Q. Can you show me among the documents 12 what you are referring to when you say 13 "budget"?</p> <p>14 A. Yes, sir. It's CNS 103.</p> <p>15 Q. Do you mind if I walk over and just 16 look over your shoulder?</p> <p>17 A. No, sir.</p> <p>18 Q. And it's your testimony that the 19 amount of money spent on renting the 20 warehouse is not part of this budget; is that 21 correct, sir?</p> <p>22 A. There's a category for this. It 23 talks about facility costs and so forth, zero 24 in here. So if it's not in the burden, it's 25 not in the claim the way I would look at it,</p>
<p>1 CAMPOS</p> <p>2 ninth page, yes, and that's where I got the 3 number, multiplied it by the 53 percent to 4 arrive at \$280,846.10, which I believe is the 5 fixed portion of the equipment burden.</p> <p>6 Q. And is it your opinion that the 7 claim that has been made against 8 American Home in this case of, I'm just going 9 to use round numbers here because it's a 10 little bit easier, of \$6.4 million should be 11 reduced by this amount \$280,846.10?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Under the category "equipment lease 14 rental," on Exhibit No. 11.</p> <p>15 A. Yes.</p> <p>16 Q. Does that include the amount of 17 rent for the warehouse, as well?</p> <p>18 A. If I recall correctly, there was no 19 amount in the budget for the warehouse, okay, 20 or for any warehouse.</p> <p>21 Q. No amount in what budget, sir?</p> <p>22 A. The budget from which this 23 information was derived that I testified to 24 earlier.</p> <p>25 Q. Okay. Do you have that document,</p>	<p>1 CAMPOS</p> <p>2 okay, unless somebody shows me differently</p> <p>3 okay.</p> <p>4 Q. So it's your testimony that the 5 amount of rent for the warehouse facility in 6 Charlton, Massachusetts is not part of the 7 claim presently; is that correct?</p> <p>8 A. Not part of the equipment burden 9 calculation, right.</p> <p>10 Q. And, therefore, not part of the 11 claim of costs that Insituform is seeking 12 against American Home; is that correct?</p> <p>13 A. That's my understanding, yes.</p> <p>14 Q. Easy enough. Let's turn to the 15 other document that you were good enough to 16 provide me before the break, and mark it as 17 Exhibit 12.</p> <p>18 (Campos Exhibit 12, document, 19 marked for identification, as of this 20 date.)</p> <p>21 A. Yes, sir.</p> <p>22 Q. Have you had a chance to look at 23 Exhibit 12?</p> <p>24 A. Yes, sir.</p> <p>25 Q. Can you describe what Exhibit 12 is</p>

<p>1 CAMPOS</p> <p>2 for me, sir?</p> <p>3 A. It is the various elements of 4 fringe benefit, fringe benefits that are part 5 of a claim that are summarized on page two of 6 eight of my report, under field payroll, 7 110,199 total, and under wet-out payroll of 8 7,118, the total of those two equals the 9 117,317 -- 316.78 that's on Exhibit 12.</p> <p>10 Q. So this document, Exhibit No. 12, 11 just provides much more detail for those 12 numbers; is that correct, sir?</p> <p>13 A. It's the detail that's part of the 14 claim, that the numbers that appear on 15 Exhibit 12 came from the four binders here.</p> <p>16 Q. Okay. And it is your -- well, let 17 me ask it, is it your opinion that some of 18 these costs would be considered fixed in 19 nature?</p> <p>20 A. Some of them may be considered 21 fixed. The auto for company car would be 22 considered fixed, but there's no dollar 23 amount there.</p> <p>24 Q. Okay.</p> <p>25 A. With respect to the others, without</p>	<p>Page 174</p> <p>1 CAMPOS</p> <p>2 medical plans and life insurance plans, if 3 you are talking about what happens in firms 4 like a firm or an accounting firm, that would 5 be fixed, but when you are talking about 6 union workers, it could be based on hours 7 worked.</p> <p>8 And it would be unfair for me to 9 just assume one way or another without 10 getting into all of the details, and the same 11 would be true with vacation holiday pay, 12 etc., but when I step back and look at it, 13 and look at the entire amount and say it's a 14 little over 1 percent of the claim, is it 15 worth the effort of going through this and 16 analyzing it, in my opinion, no.</p> <p>17 Q. Okay. And I understand you don't 18 think it's worth the effort and why you think 19 that but, just so the record is clear, no 20 analysis has been done to date of variable 21 versus fixed costs for the items on 22 Exhibit 12; is that correct?</p> <p>23 A. That's correct.</p> <p>24 Q. Okay. Going back to your report, 25 turning to -- let me just ask one other</p>
<p>1 CAMPOS</p> <p>2 knowing exactly how the expenditure is 3 incurred and without making an assumption, it 4 would be unfair to say it's either fixed or 5 variable. For example, the 401K matching to 6 me would be a variable. The contribution to 7 the union --</p> <p>8 Q. Can I just stop you and ask why you 9 would consider that to be a variable?</p> <p>10 A. Based on payroll.</p> <p>11 Q. "Based on payroll"?</p> <p>12 A. Right.</p> <p>13 Q. You are assuming that these people 14 wouldn't be working in some other capacity, 15 the same level of hours?</p> <p>16 A. Well, the company would match their 17 contribution based on a salary that they 18 made, they may be not working or they may not 19 be making this kind of money, but it's a 20 variable expense no matter what, just like 21 payroll taxes would be variable.</p> <p>22 With regard to contribution of a 23 union pension and welfare, if that's 24 predicated on a dollar amount per hour, that 25 would be a variable. When you get to the</p>	<p>Page 175</p> <p>1 CAMPOS</p> <p>2 cleanup question. Are there any other items 3 in the claim that you would consider to be 4 fixed in nature and, therefore, not 5 recoverable in this lawsuit, other than what 6 you've previously testified to?</p> <p>7 A. Potentially fixed would be the 8 fringe benefits, a portion of which could be 9 potentially fixed, there are no other items 10 in the claim that are of a fixed nature.</p> <p>11 Q. Okay. Page four of your report, 12 there is a table at the top.</p> <p>13 Do you see that, sir?</p> <p>14 A. Yes, sir.</p> <p>15 Q. It's a table of different hourly 16 rates for equipment.</p> <p>17 Do you see that?</p> <p>18 A. Equipment burden?</p> <p>19 Q. Yes.</p> <p>20 A. Yes.</p> <p>21 Q. And there appears to be an \$8 22 difference in the hourly rates used for 23 New England and California after March 1st of 24 '04.</p> <p>25 Do you see that?</p>

<p>1 CAMPOS</p> <p>2 A. Yes.</p> <p>3 Q. Then you state on page four, a few 4 paragraphs down, "I tested the equipment 5 burden and determined that the rates were 6 correctly applied to the hours worked."</p> <p>7 Do you see that statement?</p> <p>8 A. Yes.</p> <p>9 Q. Where did these rates come from?</p> <p>10 A. The claim documentation.</p> <p>11 Q. Okay. Did they come from 12 Insituform?</p> <p>13 A. They were part of the work order, 14 part of the job order that had the rates were 15 charged to the job order based on the 16 accounting system in place at the time.</p> <p>17 Q. Understood. I'm just trying to 18 find out whether these numbers came from 19 Insituform?</p> <p>20 A. Yeah, yes.</p> <p>21 Q. "Yes," okay. And do you understand 22 why there is that difference between 23 New England and California of \$8?</p> <p>24 A. There was some testimony on that by 25 I think Mr. Porzio on why there's a</p>	<p>Page 178</p> <p>1 CAMPOS</p> <p>2 were charged to the claim. I see the 3 New England crew's, the labor rate went -- 4 the burden rate went down \$9 after March 1st 5 of '04. They were what they were.</p> <p>6 Q. Separate and apart from 7 Mr. Porzio's testimony, do you have any 8 understanding as to why the California crew 9 was used on this job?</p> <p>10 A. In situations like this, it's my 11 experience you mobilize the people using the 12 term not in the sense of mobilization and 13 demobilization, but you bring in people to 14 get the work done as expeditiously as 15 possible from wherever you can, based on 16 where they are.</p> <p>17 It may be you find yourself in a 18 situation where you have someone that's ten, 19 twenty miles away or a couple hundred miles 20 away, but they are occupied on a different 21 project, you can't pull them off the project 22 to get the work done, so you bring them from 23 wherever they are available, and that's what 24 I assume happened here.</p> <p>25 Q. Okay. Do you have any opinion</p>
<p>Page 179</p> <p>1 CAMPOS</p> <p>2 difference between the rates and bringing in 3 people to get the work done, okay.</p> <p>4 Q. I understand. I'm asking your 5 understanding of it though. Do you --</p> <p>6 A. Go ahead.</p> <p>7 Q. Go ahead.</p> <p>8 A. I understand it's predicated on the 9 deposition testimony.</p> <p>10 Q. As part of your retention and 11 engagement in this case, did you test or 12 evaluate the rates themselves?</p> <p>13 A. These aren't rates paid to people, 14 these are hourly rates to apply to equipment 15 burden.</p> <p>16 Q. I understand.</p> <p>17 A. And whatever I've done is set forth 18 in these paragraphs below, okay, and what 19 happens is I've done the testing that appears 20 in the paragraphs on page four of my report.</p> <p>21 Q. Well, I guess what I'm asking is, 22 did you form any opinion as to whether these 23 rates are too high or too low or have any 24 opinion about that?</p> <p>25 A. They are what they were, and they</p>	<p>Page 181</p> <p>1 CAMPOS</p> <p>2 about whether it was proper in this 3 particular claim to charge California rates 4 as opposed to New England rates after 5 March 1st of 2004?</p> <p>6 A. It was not part of my assignment to 7 look at that, and I have no opinion.</p> <p>8 Q. You have no opinion one way or the 9 other on that?</p> <p>10 A. Those, these are the rates that 11 were in effect. The burden rates were in 12 effect by the corporation and they are what 13 they are. I have no opinion as to whether 14 they are too high or too low.</p> <p>15 Q. Okay. Turning to page three of 16 your report, sir.</p> <p>17 A. Yes.</p> <p>18 Q. It says in the second full 19 paragraph that -- I'm sorry, strike that.</p> <p>20 On the third paragraph it says that 21 "different rates were used for the same 22 employee."</p> <p>23 Do you see that?</p> <p>24 A. Yes.</p> <p>25 Q. And in terms of payroll rates</p>

1 **CAMPOS**
 2 Insituform used different rates depending on
 3 whether the work was yard work, on-site work
 4 or mobilization, demobilization; is that
 5 correct?
 6 A. Yes.
 7 Q. Do you know why Insituform uses
 8 different rates for those activities?
 9 A. They were set forth in tab A. When
 10 I questioned this, I was given the
 11 explanation that they were using different
 12 rates based on the work that they did and I
 13 was referred to tab A, and there's where
 14 these differences are addressed by
 15 Insituform.
 16 Q. And are those rates, rates that
 17 they pay their employees in salary?
 18 A. It's my understanding.
 19 Q. They are not the rates that they
 20 charge their customers?
 21 A. They don't charge their customer on
 22 a cost plus basis, most of the work that they
 23 do for their customers are on a fixed price.
 24 Q. That's what I'm asking.
 25 A. Well, it's a fixed price so they

1 **CAMPOS**
 2 its employees?
 3 A. I understood from only what I
 4 gathered from deposition testimony, okay, and
 5 discussions with Insituform personnel.
 6 Q. Well, did you have any
 7 understanding as to why this premium was
 8 necessary prior to reviewing the deposition
 9 transcripts in this case?
 10 A. In discussions with Nick, yes.
 11 Q. Okay. What did he tell you about
 12 why it was necessary to pay a premium?
 13 A. If I remember correctly, we're
 14 talking about the work being done 30 feet
 15 below ground and so forth, okay.
 16 Q. Do you know whether Insituform
 17 ordinarily charges its customers such
 18 premiums?
 19 A. It's built into their pricing
 20 structure.
 21 Q. I'm asking in other jobs, do you
 22 know whether Insituform customarily pays such
 23 premiums and passes that cost along to its
 24 customers?
 25 A. Well, again, they don't -- they do

1 **CAMPOS**
 2 charge their customer based on an estimate of
 3 what it would cost them to do the work, and
 4 add to it overhead and profit in the billing.
 5 But they don't say that, or like I would or
 6 you would, so many hours at a billing rate,
 7 that's not the way they operate normally.
 8 Q. That's what I'm trying to find out
 9 by asking the question. What I'm trying to
 10 determine is this is the amount they actually
 11 had to pay their employees in payroll?
 12 A. Yes.
 13 Q. As opposed to an amount they
 14 charged their customer?
 15 A. That's correct.
 16 Q. From the binders it also seems
 17 there's a page ITI AIG 000003 in the cost
 18 binders, that refers to paying employees
 19 premiums of 100 or \$50 a day.
 20 Do you recall that, sir?
 21 A. The payment of a premium, yes.
 22 Q. From the documents it looks like
 23 this amount amounted to about \$36,000 and
 24 some change. Did you make any inquiries,
 25 sir, as to why Insituform paid a premium to

1 **CAMPOS**
 2 it on a fixed price so, therefore, it's
 3 included in their estimated fixed price, they
 4 pay their employees that, but it's built into
 5 their costs.
 6 Q. Well, let me ask you it differently
 7 then. Do you know whether Insituform has
 8 paid premiums such as 100,000 -- \$100 or \$50
 9 per day to its employees on other jobs?
 10 A. It's my understanding that they
 11 did.
 12 Q. That they customarily do that?
 13 A. That's my understanding on similar
 14 jobs, what I might call my own terminology,
 15 "hazard duty pay," okay.
 16 Q. And who told you that?
 17 A. Told me what?
 18 Q. That they customarily pay premiums
 19 to their employees on other jobs?
 20 A. Nick Campanile.
 21 Q. Okay. Now, in looking at the cost
 22 documentation, it looks like D'Allessandro,
 23 it looks like D'Allessandro charged
 24 approximately \$900,000 on its labor for
 25 Phases I and II?

<p style="text-align: right;">Page 186</p> <p>1 CAMPOS</p> <p>2 A. When you say "pages one and two"?</p> <p>3 Q. "Phases I and II."</p> <p>4 A. Oh, "Phases I and II." What was 5 the amount of money, sir?</p> <p>6 Q. \$900,000?</p> <p>7 A. Okay.</p> <p>8 Q. And it also appears that Insituform 9 had agreed to pay D'Allessandro a cost plus 10 15 percent for Phase I, and costs plus 9 11 percent for Phase II.</p> <p>12 A. Yes, sir.</p> <p>13 Q. Is that correct?</p> <p>14 A. That's my understanding, my 15 recollection.</p> <p>16 Q. Do you know why Insituform didn't 17 negotiate that lower rate for Phase I work?</p> <p>18 A. No, I do not know it, but normally 19 you end up paying costs plus ten and ten, 20 which would be more than 15 percent or more 21 than 9.</p> <p>22 Q. Well, did you make any inquiry of 23 Insituform as to why they didn't get the 24 lower rate for Phase II?</p> <p>25 A. What lower rates?</p>	<p style="text-align: right;">Page 188</p> <p>1 CAMPOS</p> <p>2 about that that was raised by, but they 3 didn't have the personnel available and 4 borrowed personnel from other geographic 5 areas, plus the fact that D'Allessandro was 6 accustomed to doing this, and was right up 7 their alley, and on the one hand you might 8 have saved the dollar and cost you 10 9 somewhere else.</p> <p>10 Q. In formulating your opinions in 11 this case, did you make any inquiry in that 12 regard?</p> <p>13 A. No, I did not, sir.</p> <p>14 Q. Okay. In your report there's 15 mention of future estimated costs of 16 \$264,000, which is on page, it's toward the 17 end, "closeout costs," on page seven?</p> <p>18 A. Yes, sir.</p> <p>19 Q. At the time that your report was 20 prepared, there was no supporting 21 documentation for these costs; is that 22 correct, sir?</p> <p>23 A. That's correct, they were 24 estimates.</p> <p>25 Q. And do you know what the basis of</p>
<p style="text-align: right;">Page 187</p> <p>1 CAMPOS</p> <p>2 Q. For Phase I? Excuse me, I 3 misspoke.</p> <p>4 A. No, I do not.</p> <p>5 Q. Okay.</p> <p>6 A. But as I said earlier, it's lower 7 than the normal rate of 10 for overhead and 8 10 for profit. That's what's normally 9 charged by a contractor, 10 plus 10.</p> <p>10 Q. Do you know what other efforts were 11 made to reduce D'Allessandro's labor costs in 12 this case?</p> <p>13 A. No, sir.</p> <p>14 Q. Did you make any inquiry in that 15 regard?</p> <p>16 A. No, sir.</p> <p>17 Q. Do you know what tasks 18 D'Allessandro performed in the reparation 19 project?</p> <p>20 A. Without specific reference to the 21 documents, I don't recall.</p> <p>22 Q. Do you know whether Insituform 23 could have used some of its own employees to 24 perform some of this labor at a reduced rate?</p> <p>25 A. I understand there was an issue</p>	<p style="text-align: right;">Page 189</p> <p>1 CAMPOS</p> <p>2 those estimates were?</p> <p>3 A. No, I do not.</p> <p>4 Q. Do you have any opinions about 5 whether this number is supportable or not?</p> <p>6 A. This is a number that I understand 7 from Mr. Mangels, he will be furnishing 8 underlying documents to support this sometime 9 within the next week.</p> <p>10 Q. And do you have any knowledge, I 11 think you might have given a number earlier 12 today, do you have any knowledge as to what 13 the costs actually were for closeout?</p> <p>14 A. His ballpark number totaled 15 261,000 -- I'm sorry, \$201,000.</p> <p>16 Q. Okay. So the actual closeout 17 costs, based on your understanding, are 18 somewhat less than the projected costs; is 19 that correct, sir?</p> <p>20 A. Yes, sir.</p> <p>21 Q. It also appears from the cost 22 documentation that a lot of money was spent 23 on bypass pumping costs. Do you recall that?</p> <p>24 A. I recall references to that, yes.</p> <p>25 Q. Based on my calculations, you may</p>

<p style="text-align: right;">Page 190</p> <p>1 CAMPOS</p> <p>2 not agree with me, it was somewhere around 3 the neighborhood of 1.4 million for Phase I 4 and about \$300,000 for Phase II; is that 5 correct?</p> <p>6 A. I don't know, sir. I don't recall, 7 nor did I identify that in my report as being 8 bypass costs.</p> <p>9 Q. Okay. You made no effort to try to 10 just track that one individual cost?</p> <p>11 A. To identify bypass itself, no, sir.</p> <p>12 Q. Okay. Do you know what efforts 13 were made by Insituform to mitigate those 14 costs?</p> <p>15 A. Which costs?</p> <p>16 Q. The bypass costs?</p> <p>17 A. No, sir.</p> <p>18 Q. Do you know whether Insituform 19 explored buying the pumps outright rather 20 than just leasing them?</p> <p>21 A. I don't believe they did, but I 22 don't recall specifically, okay.</p> <p>23 Q. Now, it appears that Phase II 24 pumping was less expensive than Phase I 25 pumping; is that correct, sir?</p>	<p style="text-align: right;">Page 192</p> <p>1 CAMPOS</p> <p>2 marked as Campos Exhibit No. 13.</p> <p>3 Do you recognize this document, 4 sir?</p> <p>5 A. I recognize what it is.</p> <p>6 Q. What is it?</p> <p>7 A. It's a letter from Mr. Kelley to 8 Mr. Philbrick, Mr. Martin and myself.</p> <p>9 Q. Do you recall receiving this 10 letter?</p> <p>11 A. No.</p> <p>12 Q. It appears to be among the 13 documents that are produced from your file in 14 this case?</p> <p>15 A. It was.</p> <p>16 Q. In the second paragraph it states, 17 "I will call Chris Campos to explain a couple 18 of details which did not address some of his 19 concerns."</p> <p>20 Do you see that?</p> <p>21 A. Yes.</p> <p>22 Q. What were those concerns, sir?</p> <p>23 A. I don't recall, I don't know what 24 he is talking about.</p> <p>25 Q. Okay. Do you recall whether</p>
<p style="text-align: right;">Page 191</p> <p>1 CAMPOS</p> <p>2 A. Pumping.</p> <p>3 Q. Yes, the bypass pumping costs were 4 less for Phase II than Phase I?</p> <p>5 A. Again, I didn't identify the bypass 6 as a separate lineup. In the documents that 7 I have, it wasn't identified that way so I 8 can't answer you off the top of my head or by 9 reference to my report.</p> <p>10 Q. And as part of your engagement in 11 this case, did you make any inquiry as to 12 Insituform's efforts to reduce the costs of 13 bypassing pumps?</p> <p>14 MR. PHILBRICK: Objection, asked 15 and answered. The witness may answer it 16 again.</p> <p>17 A. I think you asked that earlier, but 18 you used the word "mitigate" instead, and the 19 answer is still the same, no.</p> <p>20 MR. DESCHENES: Exhibit 13. 21 (Campos Exhibit 13, document, 22 marked for identification, as of this 23 date.)</p> <p>24 A. Yes, sir.</p> <p>25 Q. I've handed to you what's opinion</p>	<p style="text-align: right;">Page 193</p> <p>1 CAMPOS</p> <p>2 Mr. Kelley called you to explain why 3 Insituform did not address your concerns?</p> <p>4 MR. PHILBRICK: Object to form.</p> <p>5 The witness may answer if he can.</p> <p>6 A. I don't recall, sir.</p> <p>7 Q. Do you recall any discussions at 8 any time with Mr. Kelley about the fact that 9 some of your concerns were not addressed?</p> <p>10 A. No, I don't recall any 11 conversations, but the fact that some of the 12 comments that I made with respect to fixed 13 versus variable and some of the comments I 14 had made earlier, and ultimately in my 15 May 22, 2006 report were not taken care of.</p> <p>16 I presume this may be what he was 17 talking about, I don't know.</p> <p>18 Q. Do you know whether Insituform was 19 paid the full contract price for its original 20 work on this project?</p> <p>21 A. I recall some reference to that, 22 but I don't recall whether they were or not.</p> <p>23 Q. And would that fact whether they 24 were paid full contract price or not have any 25 affect on your opinions in this case?</p>

<p style="text-align: right;">Page 194</p> <p>1 CAMPOS</p> <p>2 A. No, sir.</p> <p>3 Q. Now, do you recall when the Phase I</p> <p>4 repairs began?</p> <p>5 A. I believe as set forth in my</p> <p>6 report, I didn't memorize it, but the work</p> <p>7 was performed from October 2003, beginning</p> <p>8 then.</p> <p>9 Q. Do you know how long the Phase I</p> <p>10 repairs took to complete?</p> <p>11 A. According to the reference in my</p> <p>12 report, it's through June 2004.</p> <p>13 Q. Between October 2003 and</p> <p>14 January 2004, had Insituform removed and</p> <p>15 replaced any of the liner?</p> <p>16 A. I don't recall whether they removed</p> <p>17 and replaced any of the liner specifically by</p> <p>18 that date.</p> <p>19 Q. During that three-month period,</p> <p>20 sir?</p> <p>21 A. I don't recall, sir.</p> <p>22 Q. Are you aware of the amount of</p> <p>23 costs that were incurred between October 2003</p> <p>24 and January 2004?</p> <p>25 A. No, sir.</p>	<p style="text-align: right;">Page 196</p> <p>1 CAMPOS</p> <p>2 another story.</p> <p>3 A. The motion that you had filed is</p> <p>4 what I testified earlier, and I think that's</p> <p>5 my understanding of a discussion regarding</p> <p>6 that with Mr. Philbrick led to this.</p> <p>7 Q. Okay. You are referring to</p> <p>8 American Home's motion for summary judgment,</p> <p>9 sir?</p> <p>10 A. American Home's motion supplemental</p> <p>11 memorandum in the support of its opposition</p> <p>12 to Insituform's cross motion for summary</p> <p>13 judgment.</p> <p>14 Q. Okay. As a result of that did</p> <p>15 Mr. Philbrick ask you to form this analysis</p> <p>16 of costs that were incurred prior to</p> <p>17 December 31, 2003?</p> <p>18 A. I believe that it was a joint</p> <p>19 understanding, yes.</p> <p>20 Q. Okay.</p> <p>21 MR. DESCENES: I'm not going to</p> <p>22 mark this because it's already been</p> <p>23 marked in Porzio, I'm just going to ask</p> <p>24 him a couple questions about it.</p> <p>25 MR. PHILBRICK: Fine.</p>
<p style="text-align: right;">Page 195</p> <p>1 CAMPOS</p> <p>2 Q. Is that the inquiry that you</p> <p>3 mentioned that you were doing earlier --</p> <p>4 strike that.</p> <p>5 Is that the inquiry, the analysis</p> <p>6 you are performing that you testified to</p> <p>7 earlier today?</p> <p>8 A. It would be through December 31,</p> <p>9 2003.</p> <p>10 Q. Trying to figure out and quantify</p> <p>11 the amount of costs that were incurred prior</p> <p>12 to December 31, 2003?</p> <p>13 A. Through that date, yes.</p> <p>14 Q. Do you know whether that relates to</p> <p>15 the fact that the pipe was not actually</p> <p>16 removed and replaced until after that date?</p> <p>17 A. I don't recall the specifics, sir,</p> <p>18 okay.</p> <p>19 Q. Do you recall any explanation for</p> <p>20 why you were asked to perform that analysis?</p> <p>21 A. I think as I testified earlier,</p> <p>22 there was some reference here --</p> <p>23 MR. PHILBRICK: Before you go to</p> <p>24 it, give him your best recollection. If</p> <p>25 he wants to ask you to look at it that's</p>	<p style="text-align: right;">Page 197</p> <p>1 CAMPOS</p> <p>2 Q. Have you ever seen this document</p> <p>3 before, sir?</p> <p>4 A. I don't recall, sir.</p> <p>5 Q. Just for the record, it's a letter</p> <p>6 dated May 11, 2004 from Thomas Porzio to</p> <p>7 John D'Allessandro and the subject matter of</p> <p>8 the letter is "notice of completion of ITI</p> <p>9 work," and it's been previously marked in</p> <p>10 Mr. Porzio's deposition as Exhibit No. 15.</p> <p>11 A. To supplement my answer, I notice</p> <p>12 before you even said it that it was Porzio's</p> <p>13 exhibit and I may have seen it in reading his</p> <p>14 deposition.</p> <p>15 Q. Okay. According to this letter,</p> <p>16 the Phase I repairs were completed on May 11,</p> <p>17 2004. Do you see that?</p> <p>18 A. That's what the first paragraph</p> <p>19 says, yes.</p> <p>20 Q. And do you know whether after the</p> <p>21 Phase I repairs were completed whether the</p> <p>22 bypass was removed and the pipe was put into</p> <p>23 use?</p> <p>24 A. No, sir.</p> <p>25 Q. Did you make any inquiry in terms</p>

<p style="text-align: center;">Page 198</p> <p>1 CAMPOS</p> <p>2 of whether the pipe was used in calculating</p> <p>3 the damages in this case?</p> <p>4 A. No, sir.</p> <p>5 Q. Do you know whether Insituform made</p> <p>6 any delay cost request in connection with its</p> <p>7 Phase I work?</p> <p>8 A. To D'Allessandro or to whom?</p> <p>9 Q. To the MWRA through D'Allessandro?</p> <p>10 A. I don't recall.</p> <p>11 Q. Let me just show you a couple of</p> <p>12 documents that have also been previously</p> <p>13 marked Porzio Exhibit 16 and 17.</p> <p>14 A. Yes, sir.</p> <p>15 Q. Have you had a chance to look at</p> <p>16 Porzio Exhibit 16 and Porzio Exhibit 17?</p> <p>17 A. I've looked at 16, the letter,</p> <p>18 which is DO 8812 Bates No'd.</p> <p>19 Q. That's the letter dated June 4,</p> <p>20 2004?</p> <p>21 A. Yes, from Insituform.</p> <p>22 Q. From Tom Porzio to</p> <p>23 John D'Allessandro.</p> <p>24 A. Correct.</p> <p>25 Q. Concerning the delay cost request?</p>	<p style="text-align: center;">Page 200</p> <p>1 CAMPOS</p> <p>2 taken before that date.</p> <p>3 Q. They were?</p> <p>4 A. Yeah, so I couldn't have seen it</p> <p>5 before I wrote my report.</p> <p>6 Q. Well, I was just asking whether --</p> <p>7 A. No.</p> <p>8 Q. -- you might have reviewed these</p> <p>9 documents in connection with preparing your</p> <p>10 report?</p> <p>11 A. No.</p> <p>12 MR. PHILBRICK: Objection to form.</p> <p>13 Q. Based on the June 4th letter, which</p> <p>14 is part of Exhibit No. 16, it appears that</p> <p>15 Insituform requests that additional</p> <p>16 compensation.</p> <p>17 Do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. In the amount of approximately</p> <p>20 \$79,000 roughly.</p> <p>21 Do you see that?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Do you know whether the MWRA</p> <p>24 granted this request, sir?</p> <p>25 A. No, I do not.</p>
--	--

<p style="text-align: center;">Page 199</p> <p>1 CAMPOS</p> <p>2 A. I'm sorry?</p> <p>3 Q. Do you see the reference there to,</p> <p>4 the subject matter is "delay cost request"?</p> <p>5 A. Yes, I see that. And with respect</p> <p>6 to 17, essentially a one-page document which</p> <p>7 is a letter from D'Allessandro to the</p> <p>8 construction coordinator at MWRA, dated</p> <p>9 June 8, 2004, four days after Exhibit 16.</p> <p>10 Q. And that's a letter, looks like</p> <p>11 from Brian Albert of D'Allessandro to</p> <p>12 Michael DelPrete of the MWRA; is that</p> <p>13 correct?</p> <p>14 A. Yes.</p> <p>15 Q. It's been previously marked as</p> <p>16 Porzio Exhibit No. 17. With respect to both</p> <p>17 of these documents, sir, Porzio Exhibit</p> <p>18 No. 16 and Porzio Exhibit No. 17, have you</p> <p>19 ever seen these documents before?</p> <p>20 A. I believe I may have seen them in</p> <p>21 reading Porzio's exhibit, yes -- Porzio's</p> <p>22 deposition transcript, yes.</p> <p>23 Q. Did you see these documents before</p> <p>24 preparing your report, dated May 22, 2006?</p> <p>25 A. No. I think the depositions were</p>	<p style="text-align: center;">Page 201</p> <p>1 CAMPOS</p> <p>2 Q. Do you know whether these costs are</p> <p>3 included in the costs Insituform is seeking</p> <p>4 in this lawsuit against American Home?</p> <p>5 A. I would have to, in order to answer</p> <p>6 that question properly, I would have to</p> <p>7 analyze Exhibit 1 which is attached to the</p> <p>8 June 4th letter and trace those amounts to</p> <p>9 the claim documentation before I could</p> <p>10 honestly answer that question.</p> <p>11 Q. Now, if Insituform received</p> <p>12 additional compensation in the amount of</p> <p>13 \$79,000, would that affect any of your</p> <p>14 opinions in terms of the amount recoverable</p> <p>15 against American Home in this case?</p> <p>16 A. Only if the elements that comprise</p> <p>17 the additional compensation are in the claim</p> <p>18 and they weren't reduced for some reason or</p> <p>19 another, it might have an affect.</p> <p>20 Q. If, in other words, the costs of</p> <p>21 \$79,000 are included in the claim that's been</p> <p>22 presented to American Home and they have</p> <p>23 received additional, Insituform had received</p> <p>24 additional compensation in that amount, it</p> <p>25 may have an affect on your opinions in this</p>
---	---

1 **CAMPOS**
 2 case; is that correct?
 3 A. May have, yes.
 4 **Q. How would it affect your opinions?**
 5 A. How may it affect my opinion, as I
 6 said earlier, if these amounts are in the
 7 claim, and as I look at Exhibit 1, which is
 8 marked Exhibit 1 which is part of Porzio's
 9 Exhibit 16, I see a 10 percent factor added,
 10 that's not a factor that's in the claim.
 11 In order to answer that correctly I
 12 would have to trace these amounts to the
 13 claim documentation to see, number one, that
 14 they are in there; and, number two, that
 15 there was in fact a reimbursement that was
 16 made by MWRA directly to Insituform or
 17 indirectly to Insituform.
 18 **Q. But you would agree, if it's**
 19 Insituform was already paid by MWRA for this
 20 work, it would not be appropriate for
 21 Insituform to seek compensation from
 22 American Home in this amount; is that
 23 correct?
 24 A. If as I said earlier, if these
 25 amounts are in fact in the claim in their

Page 202

1 **CAMPOS**
 2 entirely.
 3 **Q. Okay. Fair enough. Let's turn to**
 4 the next document that was also marked in
 5 Mr. Porzio's deposition and in Mr. Mangels
 6 deposition, so I won't mark it again unless
 7 necessary. I suspect you've never seen this
 8 before.
 9 For the record, this is a letter
 10 dated March 31, 2006, from Thomas Porzio to
 11 T.J. Shea, D'Allessandro Corp., "Re: Change
 12 of Order Request," and it's been previously
 13 marked in the Porzio deposition as Exhibit 21
 14 and in the Mangels deposition as Exhibit 5.
 15 **MR. PHILBRICK:** Do you have a copy
 16 that shows the Bate stamp at the bottom
 17 of the page, mine cuts it off?
 18 **MR. DESCHENES:** It's kind of cut
 19 off generally, but it say it was
 20 ITI AIG I believe 009840.
 21 Does that correspond with yours?
 22 **MR. PHILBRICK:** That just tells me
 23 where. It's fine. Mine the code is cut
 24 off, I can't see.
 25 A. Yes, sir.

1 **CAMPOS**
 2 **Q. Have you had a chance to look at**
 3 this document that has been marked as Porzio
 4 Exhibit 21 and Mangels Exhibit 5?
 5 A. Yes.
 6 **Q. Do you recognize this document,**
 7 sir?
 8 A. Not specifically, no, other than
 9 most likely saw it as part of the exhibit to
 10 the transcripts.
 11 **Q. Under the subject line, it says**
 12 "change order request."
 13 **Do you see that?**
 14 A. Yes.
 15 **Q. Do you know what happened as a**
 16 **result of this request?**
 17 A. No.
 18 **Q. Do you have any information about**
 19 **how much money was spent on this repair**
 20 **that's described in this letter?**
 21 A. No, there's no quantification in
 22 the letter.
 23 **Q. No.**
 24 A. And I'm not aware of what was
 25 spent, if any, okay.

Page 204

Page 203

1 **CAMPOS**
 2 **Q. And I assume you don't know whether**
 3 this amount was included in the cost
 4 Insituform is seeking in this lawsuit against
 5 American Home; is that correct?
 6 A. That's correct. This is dated
 7 March 31, 2006. That's correct.
 8 **Q. Did anyone at Insituform bring this**
 9 **to your attention?**
 10 A. Not that I can recall.
 11 **Q. If Insituform had received**
 12 **additional compensation in response to this**
 13 **request, would that fact affect any of your**
 14 **opinions in this case?**
 15 A. Insituform was looking for a change
 16 order under the contract. Again, if these
 17 amounts were in the claim and if they
 18 received compensation for it then it could
 19 possibly affect my opinion.
 20 **Q. How would it affect your opinion?**
 21 A. If the item was in the claim and
 22 they got paid for it, it may reduce the
 23 claim, I don't know without looking at all
 24 the facts, all the circumstances behind this,
 25 okay.

Page 205

<p style="text-align: right;">Page 206</p> <p>1 CAMPOS</p> <p>2 Q. Okay. Done with that. What did 3 you do to prepare for your deposition today?</p> <p>4 A. I met with Mr. Philbrick yesterday, 5 spoke with Mr. Mangels over the phone, and 6 included in part of the meeting with 7 Mr. Philbrick was my partner Mehgan Siri, who 8 was sitting in on parts of it, only parts of 9 it, not all of it, and reviewed some of the 10 documents and my report.</p> <p>11 Q. Do you recall which documents you 12 reviewed?</p> <p>13 A. I recall reviewing the production, 14 CNS production and basically my report.</p> <p>15 Q. And do you recall how long you met 16 with Mr. Philbrick?</p> <p>17 A. Four, five hours.</p> <p>18 Q. And that was yesterday?</p> <p>19 A. Yesterday. And I think I also 20 looked at Mr. Kelley's affidavit and 21 American Home's motion.</p> <p>22 Q. Do you recall looking at any other 23 documents in preparation for your deposition?</p> <p>24 A. I don't believe there were any 25 others. On the table were the deposition</p>	<p style="text-align: right;">Page 208</p> <p>1 CAMPOS</p> <p>2 A. No, sir, no other issues is what I 3 answered.</p> <p>4 Q. Okay.</p> <p>5 MR. DESCENES: Let me just take a 6 few moments and see if I have any 7 follow-up questions, Charlie, but I 8 think I'm about done.</p> <p>9 (Recess taken 3:16 until 3:21.)</p> <p>10 MR. DESCENES: From the witness's 11 testimony it appears that Mr. Campos was 12 provided with some binders early on in 13 which he ferreted out certain cost items 14 he testified about, you know, going from 15 \$9 million to \$7 million.</p> <p>16 What I don't think we have, 17 Charlie, is the original cost 18 information that he had in doing his 19 analysis and ferreted out certain cost 20 items and I would request that on the 21 record. I can follow-up in a letter to 22 you, as well.</p> <p>23 The other piece of information I'd 24 request on the record is if there is a 25 written agreement, engagement letter of</p>
--	---

<p style="text-align: right;">Page 207</p> <p>1 CAMPOS</p> <p>2 transcripts, but I'm not sure I referred to 3 them yesterday.</p> <p>4 Q. And did you have any other prior 5 meetings with Mr. Philbrick prior to your 6 deposition?</p> <p>7 A. I think we may have met several 8 weeks ago in anticipation of my then 9 deposition, looking at the similar documents.</p> <p>10 Q. Okay. Do you recall what it is you 11 discussed?</p> <p>12 A. You know, just preparation for the 13 deposition, you know, tell the truth, nothing 14 but the truth, period.</p> <p>15 Q. You mentioned a conversation with 16 Mr. Mangels. What is it that you discussed 17 with Mr. Mangels?</p> <p>18 A. When he might come up with the 19 actual costs and documentation underlying the 20 closeout costs that we referred to earlier.</p> <p>21 Q. Did you discuss with him any other 22 issues related to the case?</p> <p>23 A. No, sir.</p> <p>24 Q. Did you discuss with him the issues 25 related to fixed versus variable costs?</p>	<p style="text-align: right;">Page 209</p> <p>1 CAMPOS</p> <p>2 any kind between either Insituform and 3 Mr. Campos, or your office and 4 Mr. Campos, I'd ask for a copy of that.</p> <p>5 MR. PHILBRICK: You already asked 6 for that.</p> <p>7 MR. DESCENES: I know, I know.</p> <p>8 MR. PHILBRICK: And you also asked 9 for an update of his been deposed stuff, 10 as well.</p> <p>11 MR. DESCENES: Yeah, I asked for 12 that, his list of cases, I asked for an 13 update on that, as well. And obviously 14 to the extent Mr. Campos is going to 15 supplement his opinion, it sounds like 16 he is going to supplement his opinion in 17 some fashion, we reserve the right to 18 call him back and ask questions about 19 supplemental aspects of his opinion.</p> <p>20 With that, I am done.</p> <p>21 MR. PHILBRICK: I have no 22 questions.</p> <p>23 -00-</p> <p>24 (Whereupon, the deposition of 25 CHRIS CAMPOS, CPA, was concluded at</p>
---	--

1 CAMPOS
 2 3:23 p.m.)
 3
 4
 5 CHRIS CAMPOS, CPA
 6
 7 Subscribed and sworn to before me
 8 this _____ day of _____, 2007.
 9
 10 _____
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

Page 210

Page 212

1
 2 CERTIFICATE
 3 STATE OF NEW YORK)
 4 : ss:
 5 COUNTY OF NEW YORK)
 6
 7 I, Toni Allegrucci, a Notary Public
 8 within and for the State of New York, do
 9 hereby certify:
 10 That CHRIS CAMPOS, the witness
 11 whose deposition is hereinbefore set
 12 forth, was duly sworn by me and that
 13 such deposition is a true record of the
 14 testimony given by the witness.
 15 I further certify that I am not
 16 related to any of the parties to this
 17 action by blood or marriage, and that I
 18 am in no way interested in the outcome
 19 of this matter.
 20 IN WITNESS WHEREOF, I have hereunto
 21 set my hand this 23rd day of May, 2007.
 22
 23 TONI ALLEGRCUCCI
 24
 25

Page 211

Page 213

1
 2 ----- INDEX -----
 3 WITNESS EXAMINATION BY PAGE
 4 CHRIS CAMPOS MR. DESCHENES 4
 5
 6 ----- INFORMATION REQUESTS -----
 7 DIRECTIONS:
 8 RULINGS:
 9 TO BE FURNISHED:
 10 REQUESTS: 53, 108, 209
 11 MOTIONS:
 12 ----- EXHIBITS -----
 13 CAMPOS EXHIBITS DESCRIPTION FOR ID.
 14 Exhibit 1 Document 31
 15 Exhibit 2 Document 52
 16 Exhibit 3 Document 65
 17 Exhibit 4 Document 80
 18 Exhibit 5 Document 114
 19 Exhibit 6A - 6D Document 117
 20 Exhibit 7 Document 120
 21 Exhibit 8 Document 136
 22 Exhibit 9 Document 147
 23 Exhibit 10 Document 150
 24 Exhibit 11 Document 167
 25

A	action 26:15 27:5 211:17	101:17 adjusters 74:9 74:14	183:17 203:20	175:24 176:13
ability 7:23	active 29:5,11	adjustment	AIU 55:18 56:7 56:22,23	183:10,13,23 186:5 194:22
able 37:25 133:24 135:18	activities 45:6 182:8	119:12 122:18,21	AJM 61:3	195:11
Absolutely 167:3	activity 45:7 140:16,20,25 141:12,14	123:5 126:10 126:15,18 127:4 136:7	Albert 199:11 alleged 27:5 59:19	200:19 201:12,14,24 202:22 205:3
accepted 131:21 135:13	actual 69:22 70:19 74:22 75:13 76:2	136:13,23 145:24,25	Allegrucci 1:23 2:9 211:7,23	amounted 150:12
access 109:24 110:2,5	accountant 12:7,10 13:14 14:3 19:11 29:15,18 63:19 67:23 74:25 127:10	adjustments 123:8 127:12 144:5	alley 188:7 alternative 76:22	183:23 amounts 85:18 97:7 108:23
accountants 15:5 24:13 101:15	109:3 122:4 143:12,23 144:3,7,8,11 144:14,18,18 144:20 145:6 145:7,10	144:5	American 1:7 advanced 10:4 advisement 53:23 54:9	125:22,23 201:8 202:6 202:12,25 205:17
accountant's 140:14	add 183:4	123:8 127:12 144:5	advisory 29:10 affect 7:22 8:3	analysis 93:25 94:2,24 95:13
accounting 9:8 9:22 11:19 19:20 20:3,8 20:17,19,25 22:2,3,7,9,11 22:14,18,24 23:6 33:5,8 33:10,12 37:2 37:17 38:23 109:20,21 122:9 176:4 178:16	added 202:9 adding 95:19 addition 32:20 additional 154:5,10 200:15 201:12,17,23 201:24 205:12	166:6,9 193:25	72:4,5 84:14 84:18,23 88:16 90:6 121:24 122:5 122:24	95:14,18 96:2 96:7,21,24 97:3,4,11 98:2 103:8
accounts 145:11	address 4:10 192:18 193:3	123:16	123:16	104:17,20,20
accuracy 111:25 121:5 121:10	addressed 182:14 193:9	affidavit 90:18 120:21 121:2 121:7,9,14,16 124:3,6,22 125:4,8,9,13 125:18,19 206:20	131:23,24 136:8,12 142:6 160:24 171:8 173:12 196:8,10 201:4,15,22 202:22 205:5 206:21	104:24 111:22 123:15 127:16,24 128:2,11 130:6,8 134:9 134:17 145:10,16
accurate 52:24 122:15,17 132:12 134:11,21	adequately 67:20 82:2,13 83:19 84:4	Agency 13:9 31:14 50:12	amount 83:25 87:19 98:13 99:22 100:24	146:23,23 154:6,10,11
accurately 6:25 32:4	148:16	132:14 140:8 207:8	101:14,16,18 105:3 122:2	159:19 166:23
accustomed 85:8 188:6	adjusted 123:12 124:16	agree 70:9 190:2 202:18	122:20 125:6 125:19 126:5	176:20 195:5 195:20
	136:19 145:22	186:9	127:4,22	196:15 208:19
	150:18	agreement 53:19 208:25	135:15,21 150:17,20	analyze 18:8 63:18 91:5
	adjuster 74:5	ahead 179:6,7 AIG 57:11 138:24	155:15 158:6 163:9 164:3 171:11,16,19 171:21	129:5 130:16 136:14 201:7
		141:16 142:2	172:19 173:5	analyzing 16:18 18:13
		142:5,5	174:23	18:23,25,25 24:18 60:5

75:4 95:11 102:2 125:2 176:16 ancient 26:12 and/or 67:21 79:12 Angeles 5:23 anniversary 26:17 answer 6:24 7:13 8:14,19 15:11 23:22 31:5,20 34:4 37:11 38:5,16 60:4 65:6 78:6 80:7 89:8 90:12 94:21 95:11 97:25 103:13 109:8 110:23 113:25 128:9 129:8,18 130:12 137:24 142:25 143:19 144:23 191:8 191:15,19 193:5 197:11 201:5,10 202:11 answered 34:15 37:3 89:8 90:12 110:22 113:25 130:13 141:24 146:10 191:15 208:3 answers 7:2,6 7:19 21:24 23:4 25:2 52:4 Anthony 49:21 anticipated 96:5 115:18 anticipating	17:4 anticipation 207:8 anybody 45:11 107:8 109:10 113:2,21 115:3 155:25 156:5 anymore 29:5 29:12 apart 162:8 180:6 apologize 149:15 apparently 81:5 appear 69:25 160:17 174:14 appeared 85:18 143:5 appears 54:17 66:15 69:22 117:7 177:21 179:19 186:8 189:21 190:23 192:12 200:14 208:11 applied 178:6 apply 89:24 179:14 Appreciate 4:22 approach 40:12 appropriate 202:20 approximate 145:2 approximately 5:18 6:3 47:11 48:4 62:22 84:2 148:21 157:18 185:24	200:19 April 13:8 architect 26:23 31:16 architectural 49:15 area 9:20 11:18 15:2 17:16 20:14,16 22:4 23:23 30:8 33:4,5,7 34:8 36:25 72:25 92:23,23 93:22 99:17 99:20,21 100:2 123:18 126:9 128:8 150:11 168:6 areas 21:25 33:13 36:22 37:7,23 80:18 93:9 126:2 128:6 148:7 188:5 arguing 125:12 arises 37:12 Army 10:2 12:16,18,23 13:8,9 31:14 50:12 arrangement 44:10 arrive 169:21 170:14 171:4 arriving 91:12 art 15:16 articles 28:22 30:7,10,14,23 32:18,21 asked 25:3 36:24 39:18 39:23 43:2 50:9 63:14 67:10,17,18 67:25 69:3,4 69:7,11,18,20 70:10,13,15 74:2 76:24	79:18 80:18 89:7 90:11 109:7 110:22 113:24 128:23 129:4 129:9,10 130:6,15 131:3,7,8 141:23 148:7 191:14,17 195:20 209:5 209:8,11,12 asking 36:21 42:20 73:2 81:24 104:5 113:7 179:4 179:21 182:24 183:9 184:21 200:6 aspect 98:10 aspects 33:12 51:15 209:19 assembling 113:3 assert 23:16 assignment 76:14,20 77:4 12:6,8,12,17 78:5,21 79:2 79:5,12,17,24 111:15 129:3 129:11 130:14 132:8 181:6 assist 63:16 64:20 81:25 135:18 136:21 assistant 39:11 assisted 51:15 associate 137:7 139:20 associated 33:23 34:8 Association 5:10 12:8 associations 28:5,8,17	assume 7:13 49:25 50:18 53:23 162:21 176:9 180:24 205:2 assumed 123:24 assuming 121:23 135:21 175:13 assumption 130:21 175:3 Assurance 1:7 4:19 68:23 asterisked 142:16 attached 137:8 137:11 201:7 attempt 102:10 136:21 attempting 91:5 168:21 attend 8:23 attention 52:13 71:3 76:10 205:9 attorney 50:9 57:5 74:5 attorneys 3:5 3:11 74:10,15 audit 13:9 14:13 31:14 50:12 111:18 111:20,23 112:17 audited 112:18 auditing 19:20 31:15 audits 14:14 16:5 20:19 August 5:2 author 141:19 authored 30:10 30:14,23 32:20 Authority 87:25 auto 174:21
---	---	---	--	--

available	180:15	110:6,24	birth 4:25	built 184:19
155:13	182:12 183:2	113:9,13	bit 23:3 171:10	185:4
180:23 188:3	189:17,25	122:13 124:3	blindly 112:18	bullet 142:14
Avenue 2:7	200:13	124:15 125:5	131:21 132:9	142:15 165:4
aware 35:25	basic 114:15	134:5 137:13	blood 211:17	bunch 91:24
119:5 120:3	basically 15:10	151:21	board 29:11	burden 91:6
194:22	23:18 206:14	156:16 168:7	39:12	100:7,7,8,9
204:24	basis 40:16,17	171:4 190:21	boat 27:20	100:14,19,20
a.m 2:3	44:9 117:9	194:5 196:18	borrowed	101:6,11
	122:16	199:20	188:4	119:14,20,21
B	134:10,11	203:20	Boston 3:13	127:4,8
B 117:15	136:20	206:24	bottom 61:2	138:25,25
Bachelor 9:8	165:21	believed	66:17 138:19	141:17,17
back 10:3	182:22	124:22	170:16	142:10,11
11:12 15:14	188:25	belong 28:4,8	203:16	145:21,21
26:12 27:12	Bastek 55:19	benefit 10:24	bought 18:18	146:25 147:5
31:7 50:12	Bate 66:17	133:9,10	break 31:7	154:12,12
58:7 94:9	138:18 172:7	174:4	36:20 99:14	159:20 161:7
97:11 101:25	203:16	benefits 99:24	104:14,15	161:11
135:20 140:3	Bates 118:8	100:3,4,14	105:10,15	164:18,22
157:6,16	198:18	150:14	110:13	167:14
176:12,24	began 194:4	161:13,22	122:19	168:24 169:3
209:18	beginning	174:4 177:8	154:16	170:18 171:5
background	12:15 21:13	Benner 59:6	173:16	172:24 173:8
8:22 64:3,6	111:13 117:6	best 37:10	breakdown	177:18 178:5
bad 35:18	194:7	42:20 53:2	47:21	179:15 180:4
164:14	behalf 14:17	55:10 60:15	Brian 199:11	181:11
bag 99:10	20:22 41:16	195:24	brief 6:15	business 4:10
ballpark	50:24 51:6	better 151:23	36:20	10:20 14:16
189:14	56:10,22 58:5	beyond 85:19	briefly 4:17	16:7,12,20
based 72:11	58:10 63:20	119:3	23:2	17:15 33:9,11
74:11,13	74:25	bid 135:14	bring 144:13	37:4,8,18,20
75:17 85:15	believe 19:5	big 27:14,22	180:13,22	38:6 43:19,22
94:16 98:5	32:16 37:2,8	bigger 27:15	205:8	43:24 49:5
102:4 103:3	42:5 44:11,15	billing 183:4,6	bringing 179:2	112:8,10
116:11	45:10 50:6,11	binders 67:14	broad 38:3	132:3
118:10 122:9	53:4,11 54:6	67:15 68:9,12	broke 104:5	buying 190:19
127:21,24	54:20 57:11	85:17 86:5	brought 125:23	bypass 189:23
128:11	57:25 58:17	88:24 90:15	budget 168:6,8	190:8,11,16
135:12	59:15 60:23	91:9,13,15,18	168:12	191:3,5
139:19 141:6	62:17 63:8	116:12,13,20	171:19,21,22	197:22
152:14	64:20,23 67:5	116:21,24	172:2,13,20	bypassing
156:20 163:5	67:7 68:11	117:2,4,5,7,8	budgeted	191:13
163:7 164:3,7	71:5,22,22	117:10,24,25	118:18	
164:9 165:15	85:25 86:8,25	152:7 153:4,5	168:14,17	
169:5 175:10	90:18 93:20	174:15	169:5	
175:11,17	101:8 105:13	183:16,18	building	103:24,24
176:6 178:15	107:11,25	208:12	132:13	117:16 211:2

211:2	140:10 143:4	126:23	44:24 45:2,5	Civil 2:9
calculate 157:9	185:20	161:13,21,24	46:10 130:5	claimant 74:20
168:22	Campbell 57:8	165:13 170:9	131:11	75:10
calculated	capable 80:3	170:10	133:17,17	claimed 27:4
119:13	80:16	171:13	145:4 181:3	60:6 78:11
157:12	capacities	172:22	182:20,21	claiming 18:18
170:16	39:15	causes 26:3	183:2	123:10
calculating	capacity	129:3	chargeable	claims 6:12
198:2	175:14	causing 59:15	160:23	14:17,19
calculation	caption 54:24	caveat 119:11	charged 46:13	15:13,21 16:7
139:2 149:7	54:25	Cedar 4:12	130:2 134:24	16:8,13,18,23
149:21 173:9	captioned 66:9	certain 19:19	135:4 156:23	17:19,22
calculations	captive 60:24	37:22 38:12	178:15 180:2	18:23,25 19:2
189:25	capture 97:6	79:11 83:2	183:14	20:21 21:9
California	captured 97:24	89:20 90:24	185:23 187:9	23:23 26:6
177:23	car 174:21	97:7,16	charges	27:9 30:15,18
178:23 180:8	care 136:19	100:23	160:19	30:24 41:23
181:3	193:15	102:19	184:17	42:10 43:14
call 20:25	carrier 69:17	145:12 152:8	charging 44:16	43:14,21,22
22:10 48:16	164:16	153:18	45:8 46:6	60:19
65:3 66:7,22	cases 6:9 17:2	158:25	Charles 3:8	clarification
107:11,15,20	17:6,10 18:3	161:14 170:8	137:8	75:6 115:11
113:14,20	18:9,14,17	208:13,19	Charlie 53:14	clarifications
130:4 132:13	23:10 25:10	certainty	117:15 156:7	108:8
137:14,17,19	25:24 26:24	122:10	208:7,17	clarify 100:25
137:21 138:3	26:25 27:3,8	certificate	Charlton 173:6	153:17
138:9,11,13	40:11,25 42:4	11:12	cheaper 76:21	cleanup 56:16
138:15 139:6	43:23 47:25	certified 12:6,9	131:16	177:2
139:9,11,13	48:4,7,10,18	19:10 28:20	135:19	clear 24:16
139:16 140:7	48:23 50:13	29:15,17,20	check 164:2	57:22 80:17
143:17	50:21,23,25	156:20	Chestnut 5:4	146:22
185:14	51:5,19 52:21	certify 211:9,15	Chicago 3:7	176:19
192:17	54:12,18,18	chance 167:10	chief 37:15	client 7:18
209:18	55:8 57:4	173:22	38:19 39:7	21:16 39:20
called 4:2 20:8	60:12,17,18	198:15 204:2	Chris 1:13 2:5	44:4,23 63:16
23:15 24:22	61:25 62:6,14	change 32:10	4:9,24 20:9	68:22
39:2 169:9	111:11	128:5,11	192:17	clients 14:18
193:2	209:12	159:4 183:24	209:25 210:5	21:14
Callen 45:16	categories	203:11	211:10 212:4	Cliffs 5:5
45:21 51:10	43:16,20,21	204:12	circumstance	close 11:14
Campanile	89:21 91:24	205:15	37:12	145:7 146:19
92:20 106:18	158:25	changes 86:12	circumstances	closeout 93:13
106:25	161:11,16	91:11 112:19	37:24 79:7	93:19 113:16
107:12,16	164:21	112:21	80:6,8,14	119:17,22
108:10,18	169:11	114:25	84:11 205:24	123:6 127:5
110:24 113:3	categorized	115:10 120:7	cited 157:6	188:17
114:3 138:4	128:6	121:13	City 5:23 13:19	189:13,16
139:15	category 34:11	charge 44:19	13:20	207:20

closing 124:18	42:3 57:11	194:10	confirm 155:12	107:4 108:19
Club 57:23	63:20 67:24	completed	confirming	143:5
58:11	69:2 73:16	98:15 104:23	66:7	contacted 63:7
CNS 172:7,14	74:10 75:2	197:16,21	conflict 102:21	63:10
206:14	145:4	completion	confused	contained
code 203:23	company 1:7	197:8	87:15	119:8,24
coined 21:2	4:19 17:24	comply 11:16	connection	context 41:12
22:11	18:11 21:16	components	6:20 41:22	41:19 67:22
collected	26:19 37:17	148:16	66:9 78:10	141:2,9
129:23	38:20,20,25	compound	108:6 113:15	continue
130:23,25	39:2,4,8,14	156:15	123:14	133:18
collection	49:21 50:24	comprise	130:24 133:5	continued
129:21	56:5,7,10,12	201:16	145:20 198:6	28:21
157:15	57:12 58:12	computer	200:9	continuing
college 8:23	60:24 61:12	110:12	consider 33:14	10:8,13 11:18
12:19 19:19	61:15,16,18	concern 16:4	33:18,22 34:7	11:22
42:12	61:20 62:5	142:22	34:12,17 35:2	contract
column 55:2	68:20,23	concerning	35:12 36:6	105:22,25
come 33:17	76:11 78:23	87:13 97:12	37:4 38:6,12	106:3,6,10
40:11 42:17	97:2 106:22	198:25	161:12	193:19,24
93:20 95:3	131:18	concerns 89:4	162:24 163:3	205:16
125:22	135:11,16,18	89:12,17	163:18,21	contractor
135:18	136:6 142:5	139:10	165:12 175:9	31:16 187:9
136:14	162:17 163:9	192:19,22	177:3	contracts
153:19,23	163:13,16	193:3,9	considered	31:15
154:2 178:9	174:21	conclude	85:11 90:9	contribution
178:11	175:16	103:5	91:25 92:4	175:6,17,22
207:18	compared	concluded	140:22 165:7	Cont'd 104:2
coming 4:20	132:20,25	conclusions	166:4,17	213:2
comment	comparison	123:23	174:18,20,22	conventional
143:11	133:23,24	condition	Consists	20:19
commented	comparisons	28:21 50:8	132:21	conversation
89:14 97:9	133:21	conditions	63:13 64:16	64:22 66:25
153:22	compensated	102:20	15:2,3,12,21	67:3 68:6
comments	44:7 47:5	conducted	15:22 30:16	95:5 207:15
86:17 89:23	compensation	14:14 32:22	30:19,25 31:3	conversations
90:2 98:10	162:10	32:23	31:16 49:2,4	64:25 65:8
122:17 152:7	163:12,23	conducting	49:5,11,21	81:18 108:5
152:15	164:12	16:5	50:6,13 62:3	108:12,16,20
193:12,13	200:16	conference	62:4,5 199:8	193:11
commercial	201:12,17,24	107:11,15	consult 113:17	coordinator
19:20	202:21	113:14,20	113:21	199:8
communicati...	205:12,18	137:14,17,19	consultant	copies 91:14
87:4	compiled 75:5	138:3 139:6,8	16:22,25 43:3	116:21 167:4
Comp 164:6,15	complete	139:11,12,16	consulting	copy 142:19
companies	32:16,25	140:7 141:20	22:3 66:8	203:15 209:4
11:19 16:14	52:24 93:7,11	143:17	contact 63:25	corner 66:18
17:10 41:17	98:20 105:16		65:11 92:22	

Corp 57:23 203:11 corporate 82:22 83:13 83:21 89:13 corporation 26:20 27:4 39:3,14 49:4 55:18,25 60:20 61:8,21 181:12 corporations 6:13 14:15 16:6 20:23 correctly 82:9 102:24 122:11 149:10 160:20 171:18 178:6 184:13 202:11 correspond 203:21 corresponding 117:25 cost 31:15 34:8 56:21 62:3 70:19 99:23 101:6 122:4 123:6,9 140:13,15,15 140:23 141:4 141:7,10 143:11 145:6 146:24 152:18 157:23 162:25 163:4 163:6,19,19 163:20,22 165:13 166:12,17 182:22 183:3 183:17 184:23 185:21 186:9 188:8 189:21	190:10 198:6 198:25 199:4 205:3 208:13 208:17,19 costly 131:17 counsel 8:5 54:8 81:16 94:16 95:2,6 96:14 101:4 116:4,6,22 138:6 167:2 counsel's 94:22 count 142:15 COUNTY 211:5 couple 8:21 40:7 42:8 64:9 68:11 73:13 86:8 91:8 112:9 180:19 192:17 196:24 198:11 course 107:3 107:10 132:7 courses 9:10 9:21,25 10:9 10:12,14 11:3 11:18,23 13:6 19:19,19 court 1:2 6:21 6:24 17:2,7 31:20 49:23 49:25 102:5 117:19 cover 137:6,11 coverage 24:19 60:18 70:11,14 88:12,14,16 121:24 123:16,19,25 128:7,8 covers 79:6 162:17 163:12,15 CPA 1:13 19:13	19:16,18 20:3 20:9 45:22 209:25 210:5 CPAs 10:17,17 10:18 28:9,10 28:11 cracks 93:3 99:19 cram 42:15 created 52:25 130:24 creation 156:21 crew 180:8 crew's 180:3 critique 84:20 91:9 critiqued 97:8 112:23 critiquing 76:12 91:10 cross 71:6 196:12 crystal 24:16 cured 33:19 34:13 current 12:4 currently 5:6 23:8,9 26:11 26:13 28:4 29:13,24 curriculum 32:2 custom 70:6 72:8,13 73:19 74:11,16 75:17 customarily 184:22 185:12,18 customer 182:21 183:2 183:14 customers 182:20,23 184:17,24 cut 203:18,23 cuts 203:17	CV 31:7 C-A-L-L-E-N 45:17,21 C-A-M-P-A-N... 106:20 D D 117:16 212:2 damage 16:19 created 52:25 130:24 creation 156:21 crew 180:8 crew's 180:3 critique 84:20 91:9 critiqued 97:8 112:23 critiquing 76:12 91:10 cross 71:6 196:12 crystal 24:16 cured 33:19 34:13 current 12:4 currently 5:6 23:8,9 26:11 26:13 28:4 29:13,24 curriculum 32:2 custom 70:6 72:8,13 73:19 74:11,16 75:17 customarily 184:22 185:12,18 customer 182:21 183:2 183:14 customers 182:20,23 184:17,24 cut 203:18,23 cuts 203:17	191:23 194:18 195:13,16 200:2 dated 66:6,20 120:22 147:23 149:23 151:12 197:6 198:19 199:8 199:24 203:10 205:6 David 49:21 day 19:22 22:5 26:17 67:8 96:20 183:19 185:9 210:8 211:21 days 19:18 21:8 50:12 132:14 199:9 deadline 11:14 11:15 deal 131:25 dealing 74:9 92:20 133:13 133:16 dealt 133:16 Dearborn 3:6 December 93:24,24 94:6 94:11,25 95:12 97:12 98:5 102:3,18 103:9 104:18 105:5 128:3 128:13 195:8 195:12 196:17 decide 97:7 decided 28:24 decline 70:16 defend 18:3 defendant 1:8 3:11 4:18 23:12 25:3 41:7,9 59:3,4 59:7,14,23
---	--	--	--	---